



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 1:24-cr-410 HSO-BWR

v.

ANTHONY CHARLES CVITANOVICH

21 U.S.C. § 331(k)

21 U.S.C. § 333(a)(2)

**The United States Attorney charges:**

At all times relevant to the allegations of this Information:

1. Defendant ANTHONY CHARLES CVITANOVICH ("Cvitanovich") was a co-owner of Mary Mahoney's Old French House, ("Mahoney's"), a Mississippi corporation operating as a restaurant in Biloxi, Mississippi, prominently advertising on its menu in the Southern Division of the Southern District of Mississippi, and elsewhere, that it served local seafood to its customers. Defendant Cvitanovich purchased fish that his restaurant advertised, described on its menu, and sold to its customers.

2. It is a felony violation of Title 21, United States Code, Sections 331(k) and 333(a)(2), knowingly to cause the misbranding of fish held for sale after shipment in interstate commerce in order to facilitate its fraudulent sale as a premium higher priced local species. A food is misbranded if its labeling and description is false and misleading.

3. On September 19, 2018, a federal search warrant was executed upon ANTHONY CHARLES CVITANOVICH's chief seafood supplier from whom he purchased inexpensive imported fish for his restaurant to sell as higher priced local premium species. While they were arranging such a sale, the supplier's sales manager informed the Defendant Cvitanovich of the

presence of federal investigators and suggested that they postpone their further discussion of seafood sales until federal agents departed. Thereafter, Defendant Cvitanovich knowingly and willfully continued to purchase imported and other inexpensive seafood from the same supplier and then to advertise and sell it at his restaurant as premium local species when they were neither premium nor local.

4. During 2018 and 2019, with the intent to mislead and defraud consumers, and thereby to profit, Defendant CVITANOVICH knowingly and willfully caused the mislabeling of approximately 17,190 pounds of the following fish held for sale after shipment in interstate commerce in order to facilitate its fraudulent sale as a premium higher priced local species: Lake Victoria Perch from Africa; Triple Tail from Suriname; and Unicorn Filefish from India.

All in violation of Title 21, United States Code, Sections 331(k) and 333(a)(2).



TODD W. GEE  
United States Attorney



Jeremy F. Korzenik by  
TODD KIM  
A.C.T. *A.C.T. Korzenik*  
Assistant Attorney General  
Environment & Natural Resources Division